

have determined that it is necessary to continue the national emergency declared in Executive Order 13067, as expanded by Executive Order 13400, with respect to Sudan.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, October 28, 2021.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. DINGELL) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

CATAWBA INDIAN NATION LANDS ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1619) to clarify the status of gaming conducted by the Catawba Indian Nation, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1619

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Catawba Indian Nation Lands Act".

SEC. 2. APPLICATION OF CURRENT LAW.

(a) LANDS IN SOUTH CAROLINA.—Section 14 of the Catawba Indian Tribe of South Carolina Claims Settlement Act of 1993 (Public Law 103-116) shall only apply to gaming conducted by the Catawba Indian Nation on lands located in South Carolina.

(b) LANDS IN STATES OTHER THAN SOUTH CAROLINA.—Gaming conducted by the Catawba Indian Nation on lands located in States other than South Carolina shall be subject to the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and sections 1166 through 1168 of title 18, United States Code.

SEC. 3. REAFFIRMATION OF STATUS AND ACTIONS.

(a) RATIFICATION OF TRUST STATUS.—The action taken by the Secretary on July 10, 2020, to place approximately 17 acres of land located in Cleveland County, North Carolina, into trust for the benefit of the Catawba Indian Nation is hereby ratified and confirmed as if that action had been taken under a Federal law specifically authorizing or directing that action.

(b) ADMINISTRATION.—The land placed into trust for the benefit of the Catawba Indian Nation by the Secretary on July 10, 2020, shall—

(1) be a part of the Catawba Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for an Indian Tribe; and

(2) be deemed to have been acquired and taken into trust as part of the restoration of lands for an Indian tribe that is restored to Federal recognition pursuant to section 20(b)(1)(B)(iii) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(iii)).

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Catawba Indian Nation to any land or interest in land in existence before the date of the enactment of this Act;

(2) affect any water right of the Catawba Indian Nation in existence before the date of the enactment of this Act;

(3) terminate or limit any access in any way to any right-of-way or right-of-use issued, granted, or permitted before the date of the enactment of this Act; or

(4) alter or diminish the right of the Catawba Indian Nation to seek to have additional land taken into trust by the United States for the benefit of the Catawba Indian Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today is the first day of the month that is dedicated to Native American heritage. As we all know, the United States' historic treatment of our indigenous governments and peoples is fraught with genocide, displacement, termination, and attempts to eliminate Native American culture, language, and identity.

But as a Nation, we have also taken actions to remedy and to build back from that sad history. In 1934, Congress recognized that termination was the wrong policy and passed the Indian Reorganization Act, which recognized Tribal governments and placed most remaining Tribal land into trust. In 1975, we passed the Indian Self-Determination Act, which allowed Tribes to reassert their sovereignty and jurisdiction over their own lands and programs intended to benefit them, but the work is far from done.

Through bipartisan legislation we are debating today, and many other legis-

lative initiatives we will undertake this 117th Congress, we are furthering Tribal recognition and reacquisition of Tribal homelands. We are strengthening the consultation requirements to provide better healthcare to the 70 percent of Native Americans living in urban areas. In the infrastructure bill and Build Back Better Act, we will have historic levels of funding for programs that meet the trust responsibilities owed to Native Americans, promised to them as the United States entered into treaties and took over their historic lands.

Our work today declares that it is not enough to just acknowledge Native American heritage, we must also pass the legislation that protects that heritage and strengthens Tribal sovereignty and self-determination.

Madam Speaker, I want to thank Majority Leader HOYER for scheduling these bills to be heard today as we begin Native American Heritage month. I especially want to thank Chairman GRIJALVA and Ranking Member WESTERMAN for moving the bills through the Natural Resources Committee.

Madam Speaker, I wish to thank the sponsors of the bills and the committee staff who dedicate themselves to getting things done on behalf of the indigenous peoples of our country.

Madam Speaker, I will turn to H.R. 1619. The Catawba Indian Nation Lands Act, introduced by Representative CLYBURN of South Carolina, will ratify and confirm the Department of the Interior's decision to take into trust 17 acres of land in Cleveland County, North Carolina, for the benefit of the Catawba Indian Nation.

The Catawba Indian Nation is the only Federally-recognized Tribe in South Carolina, and its approximately 3,400 members reside primarily in the Catawba River Valley. The current Catawba Reservation is made up of multiple parcels of land in South Carolina, totaling about 700 acres.

To improve the Tribal economy and meet the needs of Tribal members, the Catawba Nation petitioned the Department of the Interior to place approximately 17 acres of land, known as the Kings Mountain site, into trust in Cleveland County, North Carolina, for gaming and other purposes.

On March 12, 2020, the Department of the Interior accepted the Catawba Indian Nation's request to transfer the land into trust. The Department's decision derived from the terms of the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, which ended the Nation's fight against the State of South Carolina in its assertion of aboriginal land claims.

The Act not only restored the Federal trust relationship between the Nation and the Federal Government, but it also contained various provisions about the trust acquisition of land by the Secretary of the Interior, the use of such land for gaming, and the applicability of the Indian Gaming Regulatory Act.

Following the announcement of the Department of the Interior's decision, the Eastern Band of Cherokee Indians filed a suit against it to block the Nation's plans to construct a casino complex at the Kings Mountain site.

Among other assertions, the Eastern Band of Cherokee Indians claims that the project will encroach upon its aboriginal territory. However, the historical records demonstrate the Kings Mountain site is within the aboriginal and historical lands of the Catawba Nation.

H.R. 1619 will thus reaffirm the Department of the Interior's recognition of Catawba Indian Nation's historical and ancestral ties to the lands in Kings Mountain and the Catawba Nation's right to conduct gaming operations on those lands under the terms of the Indian Gaming Regulatory Act.

The legislation will provide much-needed economic development opportunities to the Nation and the surrounding local communities.

Madam Speaker, I want to thank Mr. CLYBURN for championing this bipartisan legislation, and I urge its quick adoption. I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1619 would ratify and reaffirm a March 2020 decision by the Department of the Interior to place 17 acres of the land located in Kings Mountain, North Carolina, into trust for the Catawba Indian Nation.

In 1980, the Catawba Tribe filed a land claim for former Tribal land in South Carolina, but the agreement they entered with the State failed to provide a clear understanding as to where the Tribe may have lands held in trust, what process is required, or whether the Indian Gaming Regulatory Act applies to the Catawba Nation.

By 1993, the Tribe and the State of South Carolina entered into an agreement to settle the lawsuit, and the South Carolina legislature enacted a law ratifying that agreement.

That same year, Congress ratified the settlement agreement by passing the Catawba Indian Tribe of South Carolina Land Claims Settlement Act and extinguished any other potential claims of the Catawba.

In exchange, the Catawba received \$50 million, the restoration of their status as a Federally-recognized Tribe, and a streamlined process for restoring its land base in South Carolina.

But confusion about the Tribe's land continued as it submitted an application with the Department of the Interior to place land in Cleveland County, North Carolina, acquired into trust to develop a casino.

Even after the Department of the Interior approved the Catawba's trust application, determining that the Tribe met the restored lands exemption under the Indian Gaming Regulatory Act, there were still ambiguities that led to a challenge in court.

Madam Speaker, I hope that this bill will finally resolve the remaining issues and give the Catawba Tribe certainty about its land and the ways it can use it.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Madam Speaker, I rise today to call upon this august body for a favorable vote on H.R. 1619. That is a very interesting number for this legislation. This legislation is known as the Catawba Indian Nation Lands Act.

The Catawba Indian Nation Lands Act clarifies that the Catawba Indian Nation is subject to the well-established rules and regulations of the Indian Gaming Regulatory Act on their modern and ancestral lands in the State of North Carolina.

This legislation will clarify the Tribe's 1993 Land Claims Settlement Act and reaffirm recent action taken by the Department of the Interior to take land into trust for the Tribe.

Most importantly, this bipartisan legislation is a very significant step toward rectifying historic injustices that have been perpetrated against the Catawba Indian Nation.

Like, in many other instances of current effects of historical inequities, the Catawba Nation experiences high unemployment and poverty rates causing many of its citizens to rely upon Federal and State governments for basic social services.

The enactment of this legislation is critical to helping the Catawba Indian Nation secure economic self-sufficiency as Congress originally intended when it passed the Indian Gaming Regulatory Act of 1988.

Madam Speaker, I respectfully ask my colleagues for a favorable vote on this Act.

Mr. WESTERMAN. Madam Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. TIMMONS).

Mr. TIMMONS. Madam Speaker, I rise today in strong support of H.R. 1619, the Catawba Indian Nation Lands Act. I was proud to partner with the majority whip, Mr. CLYBURN, and several other of my colleagues from North and South Carolina in introducing this legislation.

This bill is straightforward. It would simply codify action taken by President Trump's Department of the Interior last year, granting 17 acres of the Catawba Indian Nation's ancestral lands into trust for the Tribe.

This action by the Interior Department has been held up needlessly in the Federal court system, although the only decisions so far have been held in favor of the Catawbans. This bill would cut short that process and confirm the ability for the Catawba Indian Nation to move forward with their plans for this piece of land which, I would note

again, is most certainly within the borders of their ancestral homelands.

This piece of land will be critical in providing economic opportunity for a community that suffers from above-average unemployment and poverty rates. This will enable self-sufficiency and reduce the need for members of the Catawba population to rely on Federal and State governments for basic social services.

This step has been many years in the making, and I am glad to have played a small part in getting it done. I would also like to thank our partners in the Senate, Senators GRAHAM, TILLIS, and BURR for spearheading this effort in their body. Hopefully, we can get this important piece of legislation to the President's desk in short order.

Madam Speaker, in closing, I would like to ask my colleagues to join me in support of this bill. It is bipartisan, it is common sense, and it will very much help the 3,400 members of the Catawba Nation in North and South Carolina live more prosperous lives.

Mr. WESTERMAN. Madam Speaker, I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Madam Speaker, let me first thank Congresswoman LEGER FERNANDEZ for her friendship and leadership, and thank her for yielding time to me this afternoon.

Madam Speaker, I rise in support of H.R. 1619, the Catawba Indian Nation Lands Act.

A few moments ago, Congressman CLYBURN made reference to the fact that 1619 was a very significant number. What he was referring to, Madam Speaker, was that it was the year 1619 that the first slaves arrived in America—the first African slaves, I might say, arrived in America.

□ 1615

It is very interesting that this bill bears that number, but I am in full support of this legislation.

Madam Speaker, this is good, bipartisan legislation. You can see that it has support on both sides of the aisle. It will ratify actions taken by the Department of the Interior that placed 17 acres of land in North Carolina that are within the Catawba's service area, as defined by Congress in 1993, that land was placed into trust for the benefit of the Tribe.

This bill would enable the Catawba Indian Nation to secure economic self-sufficiency as envisioned by Congress in passing the Indian Gaming Regulatory Act of 1987. It will generate millions of dollars in economic development and create thousands of jobs in North Carolina, where few jobs currently exist.

That, Madam Speaker, is why I have such a deep interest in this legislation, because of the economic impact.

The Catawba Nation has already signed an agreement. I need to make

sure the record is clear about that. The Catawba Nation has already signed an agreement with our Governor, Governor Roy Cooper, and they have the support of the local community.

Madam Speaker, I respectfully urge my colleagues to vote "yes" on this important legislation.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I think that we have heard today about the importance of how we are, in essence, making history by undoing a little bit of the unfortunate history of the United States. This small parcel of land, which will be taken into trust, will yield significant benefits for the Tribe.

I do appreciate the fact that, like all the legislation we are considering today, it is bipartisan and that all of those who are supporting it recognize the benefits that it will bring to the Catawba Nation.

Madam Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 1619.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

LUMBEE RECOGNITION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2758) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2758

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lumbee Recognition Act".

SEC. 2. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking "That the Indians" and inserting the following:

"SEC. 3. DESIGNATION OF LUMBEE INDIANS.

"The Indians";

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

"SECTION 1. FINDINGS.

"Congress finds that—";

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking "Whereas" each place it appears;

(D) by striking "and" after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking "": Now, therefore," and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

"SEC. 2. DEFINITIONS.

"In this Act:

"(1) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(2) TRIBE.—The term 'Tribe' means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina."; and

(7) by adding at the end the following:

"SEC. 4. FEDERAL RECOGNITION.

"(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

"(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

"(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

"SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.

"(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

"(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

"(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

"(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

"(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

"(d) TRIBAL ROLL.—

"(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

"(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

"(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

"(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

"SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

"(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).
"SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.

"(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

"(1) all criminal offenses that are committed; and

"(2) all civil actions that arise.

"(b) TRANSFER OF JURISDICTION.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

"(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

"(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

"SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary to carry out this Act.

"SEC. 9. SHORT TITLE.

"This Act may be cited as the 'Lumbee Tribe of North Carolina Recognition Act'."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2758, the Lumbee Recognition Act, introduced by Representative BUTTERFIELD from North Carolina, will extend Federal recognition to the Lumbee Tribe of North Carolina.

With approximately 60,000 members, the Lumbee Tribe is the largest in North Carolina, the largest Tribe east of the Mississippi River, and the ninth largest Tribe in the Nation.

In 1885, the Lumbee Tribe was recognized by the State of North Carolina.